

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13551 of 2022

Arising Out of PS. Case No.-83 Year-2021 Thana- BIBHUTIPUR District- Samastipur

MD. RAHMAN @ ABDUL RAHMAN S/o Md. Kalam R/o Vill- Mustafapur,
P.S.- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Bibhutipur P.S. Case No. 83 of 2021 registered for the offence
punishable under sections 376, 120B/34 of the Indian Penal
Code.

As per allegation in the FIR, on the pretext of
marriage, petitioner had established physical relationship with
the informant and she became pregnant and given birth to a girl
child. It is further alleged that several panchayat meetings were
held to settle the dispute but failed and then the present FIR.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Informant
is a major lady and she has established consensual physical



relationship with the petitioner. FIR has been lodged after a delay of about more than a year which creates doubt in authenticity of the prosecution story. Petitioner is in custody since 07.07.2021.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Rosera Samastipur in connection with Bibhutipur P.S. Case No. 83 of 2021.

(Sunil Kumar Panwar, J)

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